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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(e) Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	AERX-062DIV
	First Named Inventor	SCHUSTER, JEFFREY A.
	Application Number	10/773,718
	Confirmation No.	8297
	Filing Date	February 5, 2004
	Group Art Unit	3764
	Examiner Name	
Title: <i>"TEMPERATURE CONTROLLING DEVICE FOR AEROSOL DRUG DELIVERY"</i>		

Sir:

Applicants submit herewith patents and/or publications which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. While this Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is "prior art" for this invention unless specifically designated as such. A listing of patents and/or publications is shown on enclosed Form PTO-SB/08A and a copy of each patent and/or publication is also enclosed.

Each item of information contained in the Information Disclosure Statement filed herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 C.F.R. 1.97(e)(1)). A copy of the communication is enclosed for the Examiner's convenience.

The Examiner is requested to make the citations listed on the enclosed PTO-SB/08A of record in this application. Applicants would appreciate the Examiner initialing and returning the initialed copy of form PTO-SB/08A, indicating the references have been considered and made of record herein.

No fee is believed due as this statement is being submitted within three months of the mailing date of the enclosed foreign communication. However, if it is determined that fees are required, the Commissioner is hereby authorized to charge any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 50-0815, Order No. AERX-062DIV.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

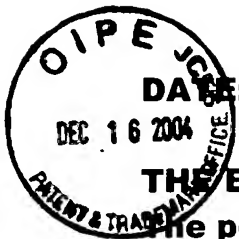
Date:

16/DEC/04

By:

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DATE: December 16, 2004

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Date

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Atty. Docket No.	Serial Number	Description	Atty.	Fee
AERX-062DIV	10/773,718	IDS, SB08A, Copy of EP Search dated 09/16/04, (1) Cited Reference w/English Abstract Translation	KYB	
SHIM-015	10/110,030	Transmittal, Amendment*, Seqlist Certification, Paper Copy of Seqlist, (1) CD w/Seqlist in CRF	KYB	
LIFE-075	10/137,097	PTOL-85 <i>in duplicate</i>	CML	\$1,700
BERK-034PRV	60/573,492	Change of Correspondence Address	PAB	
AGIL-234	10/227,018	Drawing Transmittal, Copy of Notice of Draftsman's Review, (6) Sheets of Formal Drawings	BEF	



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/773,718	
			Filing Date	February 5, 2004	
			First Named Inventor	SCHUSTER, JEFFREY A.	
			Group Art Unit	3764	
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	AERX-062DIV

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Documents		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials ¹	Cite No. ¹	Foreign Patent Documents			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
			FR 2 700 697		LECAT, ROGER	07-29-1994		Y

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

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